

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 5, 2004

D041374 People v. Reeves

The judgment is affirmed. Huffman, Acting P.J., We Concur: Aaron, J., Irion, J.

D040993 Morris v. Employers Reinsurance Corporation

The judgment is reversed and the matter is remanded for further proceedings consistent with the views expressed herein, with directions to enter judgment for Morris in an amount to be determined by the trial court, but not less than \$5,000. Each party shall bear its own costs on appeal. Huffman, Acting P.J.; We Concur: Nares, J., Irion, J.

D042991 In re the Marriage of Bandoian

The appeal is dismissed pursuant to rule 17(a).

D043297 Bridget D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Bridget D. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D043273 Syliva R. et al. v Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorneys for petitioners Sylvia R. and Oscar G. have notified the court on behalf of the petitioners that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D043318 Edward K. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Edward K. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D043216 Maria F. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Maria F. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D043294 Maria O. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Maria O. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 5, 2004 (Continued)

D043321 Luciana W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Luciana W. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D042323 2,002 Ranch, LLC v. Superior Court of San Diego County/Chicago Title Insurance Company

Order modifying opinion. There is no change in the judgment. The petition for rehearing is denied.

D041747 Ross v. Cytodyne Technologies, Inc. et al.

Upon written stipulation filed by appellant General Nutrition Corporation and respondent Linda Ross, the appeal of appellant General Nutrition Corporation only is dismissed and the remittitur is ordered to issue immediately. Each party (appellant General Nutrition Corporation and respondent Linda Ross) to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 6, 2004

D043400 Kryder et al. v. Superior Court of San Diego County/Serrano et al.

The petition is denied.

D043352 In re Hernandez on Habeas Corpus

The petition is denied.

D041122 In re Estate of Chell

The order denying the petition for removal of the executor is affirmed.

Aaron, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D040556 Bank of America v. One San Diego Associates et al.

Judgment affirmed. Bank of America to bear cost on appeal. Haller, J.; McConnell, P.J., Benke, J.

D041491 People v. Weatherford

D042517 In re Weatherford on Habeas Corpus

The petition for writ of habeas corpus *In re Herschel Dexter Weatherford*, D042517, is consolidated with the appeal, *People v. Weatherford*, D041491, for disposition.

D041491 People v. Weatherford

D042517 In re Weatherford on Habeas Corpus

(Consolidated) The judgment is affirmed; the petition for habeas corpus is denied. McIntyre, J.;

We Concur: Benke, Acting P.J., McDonald, J.

D043457 Hagen v. Superior Court of San Diego County/Hagen

The petition is denied.

D041842 In re Wilson on Habeas Corpus

The petition is denied.

D043420 Arrin System v. Superior Court of San Diego County/Carey

The petition is denied.

D041197 In re the Marriage of Gladstone

We reverse the court's order to dismiss the petition for legal separation and order the court to stay the action pending completion of the Virginia dissolution proceedings. The judgment is affirmed in all other respects. Respondent's request for judicial notice is denied. Each party is to bear its own costs on appeal. O'Rourke, J.; We Concur: Huffman, Acting P.J., Nares, J.

D043443 In re Chavez on Habeas Corpus

The petition is denied.

D043186 Tennis et al. v. Wawanesa General Insurance Company

Pursuant to California Rules of Court, rule 8, the appeal filed October 16, 2003 is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal and for appellant's failure to timely designate the record. (Cal. Rules of Court, rule 4(a) 4(b) 5(a) and 5(c)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 7, 2004

D043496 In re Wiley on Habeas Corpus

The petition is denied.

D043384 Krewer et al. v. Lubeski et al.

The appellant having failed to timely pay the filing fee, the appeal is dismissed. (Cal. Rules of Court, rule 1(c)(5).)

D043506 Lowen et al. v. Superior Court of San Diego County/Ortega et al.

The petition is denied.

D040744 People v. Mcmanama

The judgment is affirmed. McConnell, P.J.; We Concur: Benke, J., McDonald, J.

D040637 Rancho Santa Fe Association v. Dolan-King

D041486 Rancho Santa Fe Association v. Dolan-King

(Consolidated) The judgment and order are affirmed. Costs on appeal to the Association. Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D041617 People v. Bates

The judgment is affirmed. Nares, Acting P.J.; We Concur: Aaron, J., Irion, J.

D043447 In re Barnes on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 8, 2004

D043002 Diane S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Diane S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D043385 Monica G. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Carlos C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Carlos C. is dismissed.

D043465 Kathleen W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Kathleen W. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D042519 Burnett v. Solid Goods Corporation

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D043518 Marsh v. Superior Court of Imperial County/People

The petition is denied.

D043446 In re Curtis on Habeas Corpus

The petition is denied.

D040393 Jennings v. Palomar Pomerado Health Systems, Inc.

The opinion filed December 11, 2003, is ordered certified for publication. The petition for rehearing is denied.

D042198 Advantage Publishing, LLC v. Marcoa Publishing, Inc.

Upon filing a written abandonment of appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 20(c)(2)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 9, 2004

D043532 Angela G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The Notice of Intent to file Writ Petition, filed on January 2, 2004, is untimely. The case is dismissed.

D042142 Orchard Hill, LLC v. Julian Community Services District

Upon written request filed by appellant, the appeal is dismissed.

D043353 Rachelle R. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Rachelle R. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040500 Hemingway v. Desert Pacific Council

The judgment is affirmed. The Council is awarded costs on appeal. McConnell, P.J.;
We Concur: Haller, J., McDonald, J.

D041609 Snow v. Alameida et al.

The order is affirmed. The trial court is directed to lift its stay as to the two remaining causes of action in superior court case No. GIC795968. Aaron, J.; We Concur: Benke, Acting P.J., Huffman, J.

D041849 People v. Contreras

The judgment is affirmed. Irion, J.; We Concur: McConnell, PJ., Nares, J.

D040918 People v. Becton-McGuire

The judgment is affirmed. McConnell, P.J.; We Concur: Haller, J., McDonald, J.

D042107 In re Cassie M, a Juvenile

The judgment is affirmed. Haller, J.; We Concur: McConnell, P.J., McDonald, J.

D039873 In re Marriage of Pierson

The judgment is affirmed. Kathleen is entitled to costs on appeal. Aaron, J.;
We Concur: Nares, Acting P.J., McDonald, J.

D042242 In re Snow on Habeas Corpus

The petition is denied without prejudice to petitioner seeking relief in the superior court.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 9, 2004 (Continued)

D042174 People v. Robinson

Judgment affirmed. McConnell, P.J.; We Concur: Benke, J., O'Rourke, J.

D043519 Mork v. Superior Court of San Diego County/Mork

The petition is denied.

D040998 In re Willie M., a Juvenile

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D042897 People v. Garcia

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D041493 People v. Garcia

The judgment is reversed and the matter is remanded for a hearing on whether Garcia is competent to represent himself and knowingly wishes to do so. If the court finds he is competent to represent himself, it shall hold a new trial. If the court finds Garcia is not competent to represent himself or knowingly chooses not to do so, the jury verdict and sentence will take effect. Huffman, J.;
We Concur: McConnell, P.J., Irion, J.

D042350 In re James F., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Huffman, J.

D041582 People v. Ortega

The judgment is affirmed. McIntyre, J.; We Concur: McConnell, P.J., Benke, J.

D042428 In re Liliana S. et al., Juveniles

The orders are affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Nares, J.

D040250 McHale v. Wills

Judgment affirmed. Appellant to bear respondent's costs incurred on appeal. Haller, Acting P.J.;
We Concur: McDonald, J., McIntyre, J.

D041725 People v. Klee

Judgment affirmed. Huffman, J.; We Concur: McConnell, P.J., McIntyre, J.

D043468 People v. Moore

In that no appealable order or judgment has yet been entered, the notice of appeal is premature. The appeal is dismissed without prejudice to refile a notice of appeal after an order or judgment has been entered.